

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

PATRICIA ROBINSON,

Plaintiff,

vs.

**HYUNDAI CAPITAL AMERICA, INC.
d/b/a GENESIS FINANCE USA,**

Defendant.

Case No. 0:22-cv-61234-KMW

**DEFENDANTS' MOTION TO COMPEL ARBITRATION, TO DISMISS CASE WITH
PREJUDICE, AND TO STRIKE CLASS ALLEGATIONS**

Defendant Hyundai Capital America d/b/a Genesis Finance (“HCA”),¹ by and through their undersigned counsel of record, and under and pursuant to the Federal Arbitration Act, 9 U.S.C. § 2, and Fed. R. Civ. P. 12(f), hereby moves to compel arbitration of all of Plaintiff Patricia Robinson’s (“Plaintiff”) claims asserted in the Complaint on an individual – not class-wide – basis, to dismiss the case with prejudice, and to strike Plaintiff’s class allegations. The reasons and authorities supporting this Motion are set forth in the accompanying Memorandum of Law.

WHEREFORE Defendant Hyundai Capital America d/b/a Genesis Finance respectfully requests that the Court enter an Order compelling to arbitration of all of Plaintiff’s claims asserted in the Complaint on an individual basis, to dismiss the case with prejudice, and to strike Plaintiff’s class allegations

¹ HCA does business as Genesis Finance. *See* Declaration of Nayeli Saldivar, attached hereto as Exhibit 1 (the “Saldivar Decl.”), ¶ 3; Compl. ¶¶ 1, 22. Accordingly, this Motion is properly brought by HCA and is inclusive of that business unit.

LOCAL RULE 7.1(a)(3) CERTIFICATION

In accordance with Local Rule 7.1(a)(3), undersigned counsel for Defendants contacted Plaintiff counsel and Plaintiff's counsel has confirmed that Plaintiff **opposes** the relief sought in this Motion.

Dated: August 24, 2022

Respectfully submitted,

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America d/b/a Genesis Finance*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of August, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I also certify that the foregoing document is being served this day on counsel on the Service List below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive Notices of Electronic Filing electronically

s/ Brandon T. White
Brandon T. White, Esq.

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